

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS (SHERMAN)

CRAIG CUNNINGHAM,)	
)	No. 4:17-CV-00839
Plaintiff)	
v.)	Judge Amos L. Mazzant, III
)	
AMBER FLORIO, LAW OFFICES OF)	Magistrate Judge Christine A. Nowak
AMBER FLORIO, PLLC, GLOBAL)	
CLIENT SOLUTIONS, LLC,)	
COMMONWEALTH SERVICING)	
GROUP, LLC, MONMOUTH)	
MARKETING GROUP, LLC, TOM)	
MORAN, DMB FINANICIAL, LLC,)	
HAL BROWDER and MATTHEW)	
GUTHRIE,)	
)	
Defendants)	

DEFENDANTS, COMMONWEALTH SERVICING GROUP, LLC, DMB FINANCIAL, LLC, AMBER FLORIO, LAW OFFICES OF AMBER FLORIO, HAL BROWDER and MATTHEW GUTHRIE'S, MOTION FOR AN EXTENSION OF TIME TO ISSUE ITS INITIAL DISCLOSURES PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 26(a)(1) AND TO FILE ITS ANSWER (OR OTHERWISE PLEAD) TO THE PLAINTIFF'S SECOND AMENDED COMPLAINT

Defendants, Commonwealth Servicing Group, LLC, DMB Financial, LLC, Amber Florio, Law Offices of Amber Florio, Hal Browder and Matthew Guthrie, move this Honorable Court for an extension of time to issue their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) and for additional time to file its answer or otherwise respond to the Plaintiff's Second Amended Complaint.

1. Per the order governing proceedings entered on January 16, 2018, the current deadline to issue initial disclosures pursuant to F.R.C.P. 26(a)(1) is January 22, 2017 and the joint report of attorney conference is due February 5, 2018. Per the order entered on January 23, 2018, the deadline to file the Defendants' Answer or otherwise plead is February 22, 2018

2. Defendants, Commonwealth Servicing Group, LLC, DMB Financial, LLC, Amber Florio, Law Offices of Amber Florio, Hal Browder and Matthew Guthrie are currently

represented by Vincent Carrizales. Amber Florio and the Law Offices of Amber Florio entered the case on January 24, 2018 (after the January 16, 2018 order). However, Mr. Carrizales has not been in contact with the said Defendants since January 31, 2018. After several attempts to contact Mr. Carrizales, the Defendants were forced to hire attorney Jason Augustine and the law firm Reeve, Augustine, Alarakhia, PLLC to take over the case.

3. The relief requested herein is for good cause and will not result in undue delay in the administration of this case. An enlargement of time for filing Defendants' response is necessary because Defendants' current counsel is unresponsive and their new counsel was only retained to work on this matter one day before the reply deadline and has not had adequate time to become acquainted with the case or otherwise respond to Plaintiff's Second Amended Complaint. Defendants have previously been granted one enlargement of time.

4. WHEREFORE, the Defendants, Commonwealth Servicing Group, LLC, DMB Financial, LLC, Amber Florio, Law Offices of Amber Florio, Hal Browder and Matthew Guthrie, hereby request that the deadline to issue initial disclosures pursuant to F.R.C.P 26(a)(1) be reset to March 13, 2018, that the joint report of attorney conference be due March 18, 2018 and the Defendants' Answer or response to the Plaintiff's Second Amended Complaint (filed February 2, 2018) be due March 22, 2018.

RESPECTFULLY SUBMITTED

/s/ Jason Augustine
Jason Augustine, lead counsel
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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 21, 2018, I served Defendant's Unopposed Motion For Extension Of Time To Answer Complaint on Plaintiff via the Court's Electronic Case Filing system.

/s/ Jason Augustine